

## **CHAPTER 1. INTRODUCTORY**

### **1.1 Adoption of Rules**

These rules are adopted by the Superior Court in the County of Mendocino pursuant to Government Code sections 68070 and 68071, and Code of Civil Procedure sections 128 and 187, and are effective January 1, 1999.

Eff. Jan. 1, 1999.

### **1.2 Repeal of Prior Rules**

Upon the effective date of these rules, all other rules heretofore adopted by these courts shall be repealed, provided that no action theretofore taken in compliance with such rules shall be made or deemed invalid or ineffective by such repeal.

Eff. Jan. 1, 1999.

### **1.3 Citation**

These rules shall be known and cited as the Superior Court Rules and at all times be supplementary and subject to any and all rules heretofore and hereafter adopted for the courts by the Judicial Council of California.

Eff. Jan. 1, 1999.

### **1.4 Construction and Application**

These rules shall be liberally construed to serve the proper and efficient administration of the business and affairs of this court and to promote and facilitate the administration of justice by the courts.

Eff. Jan. 1, 1999.

### **1.5 Definition of Terms**

The definitions set forth in the California Rules of Court apply with equal force and for all purposes to the local rules unless the context or subject matter otherwise requires. Set forth below are definitions of selected terms used in these rules:

**Court:** The word court shall mean the particular court in which a matter is pending, unless otherwise specifically noted and shall include and apply to:

- Any judge who is appointed or elected a member of this court;
- Any judge, including a retired judge, who is assigned by the Chairperson of the Judicial Council to serve this court;
- Any commissioner or referee who is appointed by the judges of this court;
- Any retired commissioner who is assigned by the Presiding Judge pursuant to Government Code section 72190 to serve the court; and,
- Any member of the State Bar of California ordered to act as a temporary judge to serve this court pursuant to Article VI, Section 21 of the California Constitution and Rule 532 of the California Rules of Court.

**California Rules of Court:** California Rules of Court mean the rules of court administration, practice and procedure adopted by the Judicial Council of California.

**Judicial Officer:** The term judicial officer includes any judge who is appointed or elected a member of this court and any commissioner or referee who is appointed by the judges of this court.

**Presiding Judge:** The word, Presiding Judge, shall mean the Presiding Judge of the courts of Mendocino County and it shall include the Acting Presiding Judge. The Presiding Judge, with the concurrence of the Executive Committee, may appoint such Assistant Presiding Judges as is deemed appropriate.

**Clerk:** The word Clerk includes the Court Executive Officer and any other duly appointed and sworn deputy clerk of the courts.

**Person:** The word person includes corporations, associations, public entities and all other entities as well as natural persons.

**Paper:** The word paper includes all documents except as otherwise provided in the California Rules of Court.

**Judgment:** The word judgment includes and applies to any judgment and to any order or decree from which an appeal lies.

Eff. Jan. 1, 1999.

## **1.6 Clerks**

The Mendocino County Courts are served by a staff of court clerks under the supervision of the Court Executive Officer.

Eff. Jan. 1, 1999.

## **1.7 Amendment and Repeal**

These rules may be amended by the Executive Committee of the courts after consultation with the judges of the courts in which these rules shall apply.

Eff. Jan. 1, 1999.

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